THE FINANCIAL PROBLEM.

Further Notes on the Subject of a Resumption of Specie Payments.

National and Individual Economy a Condition Precedent.

The Resumption of Currency Payments by the New York Banks a "Previous Question."

President Grant's Views Again Reviewed.

Bank Reform as Well as Currency Reform Necessary to the Result-

What Philadelphia Knows About the Matter.

NON POSSUMUS.

It is one of the best signs of an intelligent under standing on the part of our business people of the exigencies of our present situation and that of the ource of weight, notwithstanding the agitation of the question, arguing the possibility of immediate resumption of specie payments, or advocating any effort to bring about such result other than as the consequence of natural growth in national productiveness and progress in manufac-turing industries. That such a consummation is most devoutly to be wished as a means of placing us in a better position with re-gard to our foreign creditors all admit, but that it is a question not for the government, not for Congress, not for the banks to determine is equally recognized by those who have any clear underanding in the matter, but belongs wholly to the nation and the people, collectively and individually, in the exercise of a greater economy in national and individual expenditure. This is the fundamental rule, the application of which is A NECESSARY CONDITION PRECEDENT

to the attainment of the much desired haven of financial peace and rest; but it is in the difficulty of enforcing this rule that we find the greatest obstacle to an early solution of this much vexed question. Attention has been drawn before in the ERALD to President Grant's recently expressed views on this subject, when it was pointed out how carefully he had avoided committing himself to any expression of opinion concerning the possibility of immediate resumption, or the wisdom of any measures looking to precipitate action in that direction, On the contrary, his anticipated recommendations, all contained in them the element of caution, a rpose to reach the desired goal by regular ap-

on them the element of caution, a purpose to reach the desired goal by regular approaches, a constitutional disposition to flank the present situation. It seems odd this serious discussion of specie resumption with \$50,000,000 as about the maximum figure which the government could gather to meet such an emergency, while the banks of New York hesitate to resume currency payments when there is over \$356,000,000 legal tenders outstanding. Very properly the President has determined to Theory Upon The Banks a large of Figure for future resumption, or rather recommend legislation to that effect. The national banks have been the recipients of undied lavor on the part of the government and Congress, representing the people, ever since their creation, in being permitted to graw a double interest upon their circulation.

And the suppose of the control of the government and congress, representing the people, ever since their creation, in being permitted to graw a double interest upon the government and, secondly, in the loaning of deposits—it being well known that many of them make use of agents in the loan market to secure usurious rates. With all these privileges and opportunities they have not been satisfied to confine their business within the limits prescribed by law, but have permitted their required reserve of twenty-five per cent of their liabilities (in coin and greenbacks) to ran below that amount, as was the case before the late panic set in, and which largely increased the gravity of that crisis. Their subsequent action, wise and prudent as it was, was simply brought about through the instinct of self-preservation, and acquiesced in by their customers from the necessity of the cocasion and in dread of a bank panic, the effect of which in 1837 is not yet lorgosten. That such a result was a suit on contract for laying by pipe in Third, Fourth and Madison avenues and the Bowery, and a verdict for subject from the provisions of the National labout through the instinct of self-preserval avenue. The convenience of c

is not yet torgotten. That such a result was avoided now was due, not to any inherent strength produced by careful or conservative management or administration, but because of the security given billholders in the provisions of the National Bank act. Had billholders been without this security and commenced a run on the banks, as they would have done, but very few of them would have been able to stand it.

As PIDUCLARY INSTITUTIONS
they had not been faithful to the trust reposed in them; as agencies for the accommodation of the public they were almost powerless in the hour of greatest need. They are still continuing their selfish course, and by so doing breathing distrust upon newly acquired confidence and checking the natural flow of currency, so much needed at this time. With such institutions it will be readily seen there must be some reform before resumption of specie payments can be hoped for. The President's intended recommendation that the present legal tender reserve be gradually abolished and coin substituted therefor is wise in this connection. It would be a virtual inflation to the extent of the amount of legal tenders now held as a reserve in the national banks of the country, while the increased strength of the banks in the substitution of gold for these notes would prevent any considerable depreciation as a consequence of such inflation.

such inflation.

AS AN ADDENDUM

to this proposed recommendation of the President
it suggested that with this change in the reserve
of the banks a gradual change be brought about in
the currency by the substitution of a new government note, not a legal tender, for the present legal
tender and national bank notes, such new note to
be secured, as the present hard next note. ment note, not a legal tender, for the present legal tender and national bank notes, such new note to be secured, as the present national bank notes are, by the deposit of government bonds, and placed in circulation through the banks. There is matter for thought in this suggestion, as a means to bring about coin resumption, by relieving the government from the danger or undue pressure in the presentation of legal tenders when such resumption is first announced. It is submitted for what it is worth.

Philadelphia on Resumption. The following views of prominent bankers and others in Philadelphia concerning resumption will be found interesting at this time. They but echo the opinions before expressed by many of our leading men here, and harmonize generally with the thoughts expressed above. In approaching this subject the writer has been careful to consult only

subject the writer has been careful to consult only those whose experience has comprehended a great many years, and whose present position before the community entities their opinion to no little weight. The first gentleman addressed was MR. ANTHONY DREXEL, of the well known firm of breace 1 Co., and the following conversation took place:—

REPORTER—Do you think the resumption of specie payments is possible in the present condition of our finances.

our finances?—The late crisis has undoubtedly brought us nearer to it than we have been for years, but the resumption is impossible at present. It may be that a resumption of payments in silver could come after a little, because silver has at present attached to it but very little superficial

present attached to it but very little superfical value.

WE, AS A PFOPLE, CAN CONDUCT OUR BUSINESS UPON A GOLD BASIS JUST AS SOON AS WE, AS A PEOPLE, LEARN TO BE ECONOMICAL.

The government is like an individual: if he constantly, of course, approaches a more dangerous and perplexing situation. One great means of keeping our money at home at present exists in the manufacture of our own railroad fron, and another means is now rapidly beginning to assume great proportions, namely, American shipbuilding. But we are too extravagant. Our gold is spent in too great profusion for fabrics which are solely the production of foreign industry. We have no means of ascertaining the amount of gold in the country, while we know that legal tender currency exists to the extent of millions, it would not only be impracticable to resume specie payment at this time, but it would also be amount at this time, but it would also be affected the from the country, while we know, President of the Fidelity Saie Deposit and Trust Company, said:—Under existing circumstances, by which I mean the general condition of business interests, I do not see how resumption of specie payments can possibly be unfate and over the said more of the payment can possibly be unfate.

made
UNTIL OUR GOVERNMENT IS PREPARED TO REDEEM
the \$356,000,000 at present in the banks and among
the people. Any movement in this direction of a
return cannot be thought of. This amount of legal
tender notes is performing an important part as a
circulating medium and as a bank reserve, so that until the government is
able to supply a substitute equally available this return to specife payment would
be disastrous. All agree that resumption ought to

be made at the earliest possible moment, and desire greatly that the immense business interests of our country may be placed upon their proper basis, but what the people desire at present cannot be done, and government ought never to act so long as there is doubt concerning the result.

Mr. Philer, Fres dent of the First National Bank of Philadelphia, being found in his office was asked, "What do you think, sir, of the condition of the country to attempt a return to specie payments;"

Mr. PHILER—The question is at present earnestly considered in all quarters. Only last evening a number of my friends were engaged in its discussion. The great difficulty is to ascertain the amount of gold actually in the country.

LET US SAY THAT THE GOVERNMENT CAN GATHER EIGHTY MILLIONS OF DOLLARS IN COIN.

Then let the government announce that upon a certain day it will resume. You remember the run during the last crists, and you can imagine the run during the last crists, and you can imagine the run which would be made immediately upon a proclamation of such a nature. There is an amount of \$350,000,000 in legal tender notes. A very large portion of this sum is held by the national banks. These banks would at once run upon the government and demand that their legal tenders be redeemed for gold. A single day would exhaust all the gold the government could collect together. Hence it seems to me that, as carnestly as we all desire it, resumption of specie payment is entirely out of the Question.

Condition of the New York National

The following is an abstract of reports made to the Comptroller of the Currency, showing the con-dition of the national banks in the city of New York at the close of the business on Friday, Sep-

RESOURCES.		201
oans and discounts	\$199,160,887	70
verdraits	182,459	04
inted States bonds to secure circu-		
lation	33,870,100	00
nited States bonds to secure de-		
		00
posits	000,000	-
		00
on hand	4,552,797	
Due from other national banks		
de from other national banks		
Due from State banks and bankers		99
Real estate, furniture and fixtures		
Durrent expenses		
Premiums		
checks and other cash items		
Exchanges for Clearing House	67,897,740	
Bills of other national banks	2,617,506	00
Bills of State banks		00
Fractional currency		32
specie	14,585,810	
Legal tender notes	21,468,530	00
United States certificates of deposit		
for legal tender notes		00
Clearing House certificates	700,000	00
Total	\$389,486,310	48
No of banks, forty-eight.		
LIABILITIES.		

Total.....\$389,486.310 48 THE COURTS.

The Criminal Calendar-The Powers of United States Commissioners-The Jurisdiction of the Court of Special Sessions-The Thomas Casey Habeas Corpus—Heavy Verdict Against the City-What Constitutes Usurious Mortgage - Decisio s-Business

Green, the plaintiff.

UNITED STATES CIRCUIT COURT.

Opening of the October Term. Judge Woodruff sat in the United States Circuit Court
yesterlay and commenced the business of the October
term. The court room was crowded with members of
the Bar. Mr. Stilwell, the Deputy Clerk, called over the

the Bar. Mr. Stilwell, the Deputy Clerk, called over the panel, and a considerable portion of the Judge's time was occupied in hearing the excuses of gentlemen who were summoned to attend as jurors.

There are 221 cases on the jury calendar.

With regard to this calendar Judge Woodruff said it would be first taken up. He supposed it wou'd be hoping against hone if he indulged the expectation that he could dispose of the whole of it during the present term. The probability was that the District Judge would find it possible to try some of these cases. As to the other branch of the calendar—appeals in admirally, reviews in hank-rupicy and equity suits—the Court could not at present make any announcement when they would be entered upon. But when it was possible to do so due notice would be given to members of the far.

As soon as the Judge made this latter statement the lawyers who were interested in admirally appeals, &c., made a retreat from the Court, and enough siting room was left for those whoremsined behind.

More than two hours were consumed in fixing drys for the trial of causes, several of which relate to revenue and customs matters.

The Powers of United States Commis-

A jury having been empanelled, the District Attorney called up the case of the United States vs. J. B. Hermann and Michael Hollaher. This was an action to recover and Michael Hollaher. This was an action to recover the amount of a bond which the defendants had entered into to produce a party before Commissioner Betts in February, 1869, for examination. Judge Woodruff, on tooking at the bond, said it was void upon its face. It was a bond taken upon adjournment from day to day. The District Attorney observed that all he desired was to get the case off the calendar. He did not suppose the parties to the bond were good for anything. Judge Woodruff said he had held that a commissioner had no power to take bonds for appearance on adjournment from day to day. By direction of the Court the jury found a verdict for the defendants, and the Court soon after adjourned till this morning.

UNITED STATES DISTRICT COURT.

Admiralty Case—Collision.

Judge Biatchord was occupied yesterday, as on several preceding days, in trying the case of the Reading Railroad Company, owners of two barges, against the steamboat Pleasant Valley and the towboat Sam Rotan. The claim of the railroad company is that, their boats, while in tow by the Sam Rotan, were run into both, while in tow by the Sam Rotan, were run into both pleasant Valley and sank. The fault alleged against the Pleasant Valley is that, in open daylight, on a course the Pleasant Valley is that, in open daylight, on a course the pleasant valley is that, in open daylight, on a course the variety of the same consently changed ber course to the westward and crossed the bow of the tag, the allegation being that the pilot was either negligent or intoxicated, and supposed that the boats were going from him while they were coming to him. The defendants allege that it was after dark, and that in consequence of the want of lights on the propeller and the fact that they were mistaken in her course they did not have any notice what way they were going until it was too late. The case is still on. Admiralty Case-Collision.

SUPREME COURT-CIRCUIT-PART 2.

Heavy Verdiet Against the City.

Before Judge Van Brunt.

During last year John B. Green took the contract for laying big pipe in Third, Fourth and Madison avenues and the Bowery. The Comptroller would not pay him, and so he brought sait against the city, which was true yesterday in this Court Mesers. D. J. Dean and H. J. Forker, Assistant Corporation counsel, conducted the defence and claimed that the contract was irregular and lilegal, and the prices charged exorbitant. Judge van Brunt heid that the contract was regular, and directed a verdict for the plaintil for 19,945 19, being the full amount claimed, with interest.

The Tenth National Bank Suit.

In this suit, brought to recover from the city \$21,261 94, interest on money advanced to the Department of Charitles and Correction, which was also defended by Messrs, Dean and Forker, the verdict was in favor of the city instead of the plainting as erroneously reported. Judge Van Burnt ruled that the agreement to waive interest at the time of the payment of the principal was absolute and a bar to any suit in the premises.

SUPREME - COURT -- CHAMBERS. The Special Sessions Exceeding its Ju-

Before Judge Fancher. George Copeland was prought before Justice Fancher yesterday in obedience to a writ of habeas corpus which had been granted the day previous. It appears he was tried and convicted in the Court of Special Sessions on October 9 upon a charge of petit larceny, and sentenced to an imprisonment of six months in the Fentientiary. The facts, as developed on the trial, showed that the ac-

Habeas Corpus in the Case of Thomas

As soon as Thomas Casey.

As soon as Thomas Casey left the witness stand in the Stokes trial, where he testified on behalf of the defence on Tuesday, he was arrested by one of the keepers of the Penlientiary on the charge of being an escaped conviet, and tunnediately, upon order of Judge Davis, conveyed to lilackwell's island. This summary procedure did not meet the wpproval of Casey, and he chains his areast and detention to be illegal. On his behalf Mr. William F. Howe applied yesterday to Judge Fancher for a writ of labeas corpus, which was prompty granted. The writ was made returnable this morning, when the case will come up for argument.

Decisions.

Anderson vs. Anderson.—Motion to discontinue without costs granted on payment of reserve's fees. Covert vs. Lucky.—Motion denied with \$10 costs, to abide event.

In the matter of Ferdinand Mayer, a supposed lunatic, petition for writ de lunatico inquirendo granted and commissions granted.

Gurley vs. Ely.—Motion denied with \$10 costs, to abide event.

SUPERIOR COURT-TSIAL TERM-PAST IL Upsetting an Alleged Usurlous Mort.

gage.

Before Judge Freedman.

Alfred J. Cammeyer and George G. Nason vs. Thomas

Jamilton and John Stewart.—The plaintins were the Alired J. Cammeyer and George G. Nason vs. Thomas Hamilton and John Stowart.—The plaintins were the lessees of the building Nos. 23 and 25 Bleecker street, and had rented the store in that building to Messra. Coons & Bowes, druggists, before the 1st of May, 1857. The evidence showed that before the 1st of May, 1857. Joseph Bowes was in parinership with Coons, and, desiring to buy out the interest of his partner, Coons borrowed from his uncle, the defendant, Thomas Hamilton, \$1,000, on the agreement, as claimed by the plaintiffs, that Bowes should pay him the \$1,000, with seven per cent interest, and \$.01 in addition, for one year. Hamilton claims that the agreement was for the repayment of the \$1,000 and leval interest only. The evidence on the plaintiff's part showed that Joseph Bowes, on the 2d day of July, 1853, owed then \$331 for rent and on that day sold them his stock of goods and the fixtures of the store for that amount, but with the agreement that they should pay him anything that was realized by them after they had sold the contents of the store and fixtures, after deducting expenses, and that they had paid Bowes the balance. The plaintiffs knew of the mortage to Hamilton, but being advised by their counsel that it was usurious and void, they therefore disregarded it. Hamilton oreclosed the mortgage by Stewart as his attorney, and the plaintiffs replevied the property under their bill of sale, claiming that the mortgage, being usurious, was null and void. The mortgage, being usurious, which was assessed the worter of the plaintiffs if not, to the plaintiffs claiming it to be worth. Sol., while the defendant insisted

SUPERIOR COURT-SPECIAL TERM. Interesting Question Under a Chattel

Mortgage.

Before Judge Van Vorst.

Seth W. Hale seeks to recover \$10,000 from the Omaha
National Fank, being the value of the furniture of a hotel National Fank, being the value of the purmture of a note;
at Omaha sold by the bank under a chattel mortgage.

Mr. Hale claims a prior iten, by way of a mortgage clause in the lease of the hotel, which he rented to the parties who were sold out, and of which he alleges the bank had due notice. The case has been before the Court of Appeals and has been sent back for a new trial. It is probable that the trial will occupy two or three days.

Decisions.

By Judge Van Vorst.

Zimmer vs. Hegamon.—Order setting aside inquest, and cause set down for trial for 34th inst.

Seaman et al. vs. Jessup.—Order that plaintiff have an extra allowance of \$250.

Richter vs. Scully.—Order of reference.

Burail, executor, vs. The English Evancelical Lutheran Church of 8t. James.—Order that Judgment of affirmance of the Court of Appeals be made judgment of this Court.

Court.

Bronson vs. Elias—Order opening inquest on terms and restoring cause on the calendar.

Frisbie vs. Borr. Rathoun vs. Walker. Curtis vs. The Mayor, &c.—Orders granted.

COURT OF COMMON PLEAS-TRIAL TERM.

MARINE COURT-PART 2. Action for Assault and Battery.

Before Judge Howland. Sarah Tully, an infant, by her father, James Tully, vs. Charles A. Grothe.—This was an action to recover \$1,000 for alleged malicious assault and battery. The plaintifitestified that she was fourteen years of age, and resided for alleged malicious assault and battery. The plaintiff testified that she was fourteen years of age, and resided with her parents at No. 25 South Fifth avenue; that near the house in which they lived was a large factory, in front of which were heavy grating cellar doors. On the 24th of July, 1872, she was sitting close to these doors, one of which was raised and fastened with a hook; and while playing with a baby she had in her arms one of her legs slipped over the edge of the opening into the cellar, so as to be within the line of fall of the raised door; and while in this position the detendant came up, unnocked the door and threw it down upon her leg; tearing the flesh from the knee to the ankle, and in consequence of which she was confined to her bed for nearly four months, and suffered intense pain.

Mrs. Mary Tully, the mother of the plaintiff and Edward Stinson, of 185 Greenwich avenue, testified that they were hear the plaintiff at the time, and saw the detendant nuthook the grating door and throw it down upon the child's leg.

The defendant, who is the bookkeeper at the plaining mill, 32 and 34 South Fitth avenue, testified that at the time of this occurrence he was standing in front of the shop talking with a gentleman, and was at teast twensytwo feet from the place where the plaininff was sitting, this testimony was corroborated by that of Rudolph Ruller, and several other witnesses.

The Court instructed the jury that, owing to the contradictory, character of the testimony they would be obliged to decide which side had the preponderance of proof and determine whether the defendant would be likely, under the circumstances, to cause such an iniquely to the plaininf, or whether the falling of the door was accidental. The jury, without leaving their seats, rendered a verdict for the defendant.

MARINE COURT-CHAMBERS.

By Judge Joachimsen.

Wolff vs. Buck.—The order complained of is within the proper authority of this Court to make, and was made in default of plantiff, who thereby waived all technical objections. No excuse is now made why this motion for relief was not sooner made, nor are the lashes complained of in detendant's affidavits explained. Motion denied, with \$10 costs.

Sect vs. Phillips.—Motion granted on payment of \$10 costs to detendant's attorney.

De Noy vs. Perry.—Motion granted on payment of \$10 costs. I cannot consider irregularities, however palpable, unless specified in the noice.

costs. I cannot consider irregularities, nowever parpuse, unless specified in the notice.

Johnson vs. Rosenstock.—Case to be put on day calendar for November 15.

Wilkes vs. Mansheld, Mendelsohn vs. Herrmann, Greene vs. Enbohn, Philip vs. Lightstone, Hartigan vs. Murray, Cr. llen vs. Sweeney.—Orders entered.

COURT OF GENERAL SESSIONS. The Maxwell "Perjury" Case-Motion for the Dismissal of the Case To Be Renewed To-Day.

Before Judge Hackett.

Shortly after the opening of the Court yesterday Mr.

Brooke, counsel for James E. Maxwell, who was indicted
a year ago for perjury on complaint of Luther R. Challis, a year ago for perjury on complaint of Luther R. Challis, of Woodhull notoriety, moved that the District Attorney be directed to proceed with the trial. He Recorder having, at an early period of the term, peremptorily set down the case for the 22d inst.

Assistant District Attorney Rollins stated that the complainant was in Kansas and would not return to New York till November.

Mr. Brooke insisted on his motion, stating that Challis was triffing with the Court and knew that he could not substantiate the charge preferred against Mr. Maxwell, who was a respectable clizen.

The Recorder was about to grant the counsel's motion, when it was discovered that the detendant stepped out of Court prematurery, supposing that the application of his counsel was successful. As it is necessary to empanel a lury and let their pass upon the case, further action in the matter was postponed till this morning.

Grand Larcenles.

Peter Mechan was tried and convicted of stealing \$110 in money and \$150 worth of wearing apparel from the house of Catherine Mailoy, in Harlem, on the 20th of July. He was only arrested a few days ago by an officer, who upon searching him found an order on a pawn office, which represented some of the stolen property. Mechan, being a youth, was sent to the Pentientiary of the stolen and t

Mechan, being a youth, was sent to too the first month of the month of the month stole, a piece of casamere, valued at \$28, the property of S. & J. Danziz, pleaded guitty to an attempt at grand darceny. He was sent to the State Prison for two years and ceny. He was sent to the State Prison for two years and six months.

John Pentenoy and William Skully were found guilty of stealing a pockethook, containing 22s, on the 1sth inst. from Isabella McGinness, at a hypor saloon on Eighth avenue. They were remanded for sentence till Fiday.

Emil Iversen pleaded guilty to an attempt at grand larceuy, the indictment charging that on the 7th of the

month he stele \$72 from William Kreustler. One year in the Pentien lary was the sentence passed by the Court A Philanthropic Swindler Pleads

Edwin Dushberry, a young German, pleaded guilty to an indictment for obtaining money by false pretences. Assistant District Attorney Rollins informed the Court that the prisoner had succeeded in swindling a number of benevolenty disposed persons during the summer out of about \$2,000, which he obtained by representing that he was antiherized to collect contributions for the \$t. Barnabas Home. The prisoner's councel saif that he (Dusenberry) was demented and subject to fits and requested his Honor to send the prisoner to the Peniterbury instead of the state Prison. The Recorder dureosed him to be remanded till Friday in order to investgate the case.

A Simple Assault. A Simple Assault.

Robert Mason was convicted of assaulting Norah Daley on the 22d of June, in her own apartments, and was sent to the Penitentiary for three months.

The Grand Jury brought in a number of indictments in the afternoon, and it is said that among them were ladiotiments for forgery in the third degree against Andrew L. Roberts, Valendine Glesson and others, charged with being implicated in the Watt street forgeries.

JEFFERSON MAIKET POLICE COURT. The Employment Swindle.

On Tuesday afternoon a young man named Peter O'Neil, of 553 West Thirty-fifth street, while walking in West street was accosted by a stranger, who asked him if he desired employment. He responded in the affirmative and agreed to accept a situation on a farm in Madison county. He accompanied the stranger to an office in Broadway, where he was induced to part with \$3, all the money he had, on pretence of paying his tare to Cazenovia. The stranger then slipped out of a side door and O'Neil, after wanting some time, left. He met the supposed employer on Tenth avenue yesterday and procured his arrest. He was taken before Justice Cox, at the Jefferson Market Police Court, where he gave his name as James J. Lyons, of 55 Prince street. He was committed to answer.

George Chilvers and James Boyle, clerks in the employ of Morrison, Harriman & Co., merchants on Broadway, and William A. Lounsberry, were arraigned before Justice and william A. Louisberry, were arraigned before Justice Cox yesterday, alternoon charged with stealing a quantity of lace, valued at \$200, from the firm mentioned. Louisberry was first arrested and a portion of the property found in his possession. He then informed Captain Williams, of the Eighth precinct, who arrested him, that he had received the goods from the two clerks. They were committed without bail for examination. Louisberry was discharged from the State Prision, after serving a term for a diamond robbery, about two months since.

YORKVILLE POLICE COURT.

The Baby Farming Case.

Counsel for the prosecution in this case appeared before Justice Coulter yesterday and asked if Dr. Wooster, on account of whose absence from the city the examination has been discontinued, had yet been found. The Court epided that he had not. Counsel for Mrs. Roberts, the defendant, moved for a dismissal, which the Court denied. Counsel then moved that a day be named to hear evidence for the defence. Counsel for the prosecution agreed, and the Court set the examination down for Friday next, at ten o'clock.

The Assault on Officer Hughes.

James McCabe, another of those who is suspected of

James McCabe, another of those who is suspected of having participated in the assault on Officer Hughes, of the Twenty-first precinct, on Sunday last, was committed by Justice Coulter yesterday for trial.

The Eight Hour System.

The Eight Hour System.

The bricklayers, plasterers an! tradesmen generally, who are employed on the Fourth avenue improvements, are working on the "ten hour plan." The members of the bricklayers society and others, who work only eight hours, are, of course, opposed to them, and on Theaday some of these went to Seventy-sixth street and interfered, or, at least, are alleged to have done so, with one of the contractor. The latter told them to leave, when one of the number—James Grogan, he says—threatened to the him into the excavation, on the bank of the him into the excavation, on the bank of the him into the excavation, on the bank of the latter told them to leave, when one of the children in the excavation, on the bank of the him into the excavation, on the bank of the him selected the lieavey fired one slot, asserved and his comrades fleat lieavey fired one slot, as several witnesses testify, at the retreating form of Grogan, after pursuing him several yards. Heavey was held for trial at the Special Sessions, and was very indignant in consequence.

COURT CALENDARS-THIS DAY.

SUPREME COURT-CIRCUIT-Part 1.—Over and Terminer business. Part 2.—Nos. 844½, 2254, 324, 109, 2862, 688½, 38½, 289½, 104, 106, 1188, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1194, 1196, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1198, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, 1188, SUPERMS COURT—GENERAL TERM.—Nos. 113. 3, 18, 48, 61, 62, 63, 69, 70, 245, 80, 117, 142, 144, 146, 150, 151, 152, 112, 154, 155, 156, 23, 24, 34. Losing at a Game of Poker.

Before Judge Loew.

John Nolan was employed as bookkeeper by Messrs.
Heweit Bros., of White street. Not long since he was requested by the firm to collect a bill of Nicholas D. Cantacazer. Mr. Nolan repaired to the latter's place of business and asked if the gentleman wasim. He was told he was not in, but Mr. Nonan preferred to salisy himself on this point, and so passed on to the gentleman's private office. He presented the bill at once, and was greefed by a blow on the head with a poker. It was Mr. Nolan's decided impression as soon as he recovered his scattered senses—tor he was Striously indured by the blow—that this one-handed way of playing "poker" was not justified by anything laid down in hopic or other legal authorities; that, in other words, it was a "raise" without giving him a show for his money. He brought suit for damages, and on the case being tried yesterday in this Court was given \$2.500 damages. It only remains for Mr. Cantacazer to "cail" and settle, as he is barred from further "raising."

BROOKLYN COURTS.

An Editor Committed for Contempt-The

Before Judge Gilbert.
The attention of Judge Gilbert was again called yesterday morning to the case of Mr. W. F. G. Shanks, a New York newspaper editor, who was before him the previous day for retusing to disclose to the Grand Jury the name of the author of an article entitled "The Brooklyn Ring's Method," which was published last

Brooklyn Ring's Method," which was published last August in the paper to which he is attached. Mr. Shanks continued to refuse to disclose the name of the writer, and District Attorney Britton therefore moved that he be committed to jail for contempt of Court, Judge Gilbert on Tuesday having ordered him to inform the Grand Jury.

Judge Gilbert, addressing Mr. Shanks, said that the punishment in his case would be impresoment until he obeyed the order of the Court. While it was very commendable for a gentieman in his position to preserve indeity to the rules of his office, yet he must not be allowed to pervert the ends of justice. There was no rule of law that allowed editors to make rules to conceat the authorship of an article when the same is required by the Grand Jury. It was an obstruction in the way of justice that could not be tolorated.

Mr. Shanks pleaded that he was entitled to be heard by counsel.

quired by the orand shry. It was an obstraction in the way of justice that could not be tolerated.

Mr. Shanks pleaded that he was entitled to be heard by counsel.

Judge Gilbert replied that if the counsel were present he should be glad to hear him. The Judge, however, did not think it was right to allow a contumnacious witness to defy the order of the Court.

The editor disclaimed any desire to appear as contumacious. This was a proceeding to indict his paper or some one on it, and as he was a part of the paper he thought he was right in refusing to answer, as it would tend to indict himself.

Judge Gilbert directed that an order be entered, sending him to jail finall he answered the question as to the author of the article.

The editor projected that he was a witness on the Stokes trial that day, and asked the Judge that he would so order that he (Shankes should not appear as having a contempt for the New York Court.

Judge Gilbert said there were rules by which witnesses might be taken out of jail. There was no rule made by private bodies that could interfere with the law.

Mr. shanks said he knew no law, but he knew his business to his employer and proposed to de it.

Counsellor E. T. Wood, a rriend of Shanks, coming in court, appeared for him and suggested that he should be given until this morning to answer the charge. The counsel on the question and the heaven of any writer for him and suggested that he should be given until this morning to answer the charge. The counsel of any writer for him and suggested that he should be given until this morning to answer the charge. The counsel of any writer for him and suggested that he should be given until this morning to answer the charge. The counsel of any writer for him and suggested that he should be given until this morning to answer the charge. The counter of any writer for the maintenance of law and order. The corporation could be indicted.

Judge Gilbert held that the morning the him was not necessary to the Grand Jury to know the name of any writer for

The District Attorney and the Grand

At the request of the District Attorney the Grand Jury was subsequently brought into court. Mr. Britton desired to obtain the instructions of the Court on these three

questions:—
First—Whether it is proper for the Grand Jury to listen to statements other than from the District Attorney or his awars assistants in the Grand Jury room, relating to matters before not under oath?
Secod—Whether it is proper for any member of the Grand Jury, at his residence or elsewhere out of the Grand Jury room, to listen to complaints on matters before the Grand Jury.

Third—Whether, if a witness is brought before the District Attorney to give testimony in a case where he himself appears to be a particeps criminis, and subsequently complaints are made against him, he can be indicted for the crime.

to punishment.

Second—It is highly improper, and would subject the party to punishment for contempt and the juror also. The statement must be made refore them under oath, in The statement must be made before them under oath, in the Grand Jury room.

Third—I don't know of any rule preventing them from finding an indictment. When a witness is used as in the case named, it is with the understanding that he is to be left free himself. If an indictment, therefore, was found the District Attorney would have to apply for a noile prosequi, which would stay all further proceedings, it would, therefore, be idle and useless to find the indictment.

STOKES THIRD TRIAL.

Public Interest in the Trial on the Increase.

Stokes' Father and Mother on the Stand.

ALLEGED INSANITY IN THE FAMILY.

Testimony of Dr. Fisher---The Pistel Wound the Cause of Death.

How Doctors Disagree--- A Habeas Corpus in the Case.

THE PROCEEDINGS YESTERDAY.

As this, the third, trial of Stokes proceeds the interest in each new day's proceedings seems to increase until, in fact, it may now be said that it has surrounded itself with all the excitement and sensation which characterized the proceedings in the former trials. The court room, halls and doorways are now besieged with as large and curious crowds as frequented the same ground when the shooting itself and all its surroundings were fresh in the public mind, and the develop-ments which were to be elicited from the principal actors and witnesses of the tragedy were yet to be disclosed. The class of females who regularly attend murder trials hold it as an indisputano privileges that they are bound to respect, and so unanimous and fervent is their belief in this idea that they display, on the slightest provocation, an unalterable and positive determination to resent any infringement upon what they esteem their monopoly of place and position, and show a decided inclination to demonstrate their resent-ment by recourse to their parasois as offensive weapons. The most of the femisine attendants are above forty; some few fair, and not a small number may be called, with all due respect, frowsy. Not an inconsiderable portion possess that retundity of figure which might vulgarly be termed

An unexpected mass of evidence is being put in which, to a certain extent, was excluded on the former trials. Most of it is merely corroborative, after all, of what had been previously testified to in substance, and what strength it may give to the defence of course remains to be seen. Judge Davis seems inclined to exclude nothing but what would be very objectionable and illegal to admitin fact, he is giving the defence the widest latitude. The testimony of Dr. Fisher yesterday was given with all the clearness and straightforwardness with which it was possible to invest medical ness with which it was possible to invest medical evidence. His cross examination brought out again his twice reterated belief that the pistol wound in the abdomen was the cause of Fisk's death, and that the treatment observed throughout was proper, otherwise he would not have sanctioned it. To this extent, together with the admission of Dr. Tripler's previous testimony to be admitted from the stenographer's notes, this part of the case is in exactly the same position as on the previous trials.

**Yesterday's Proceedings.

Yesterday's Proceedings.

At ten o'clock Judge Davis, Messrs. Tremain, Dos Passos, District Attorney Phelps and Mr. Russell, his assistant, the prisoner, his mother, tather and others entered, and without delay—the jory naving been promptly on time—the day's work compensed.

inther and others entered, and without delay—the jury having been promptly on time—the day's work commenced.

TESTIMONY OF H. E. DAVIS OFFERED FOR THE DEFENCE AND RULED OUT.

Henry E. Davis was cailed and sworn. Counsel for Stokes offered to wrove by this witness that he was appointed receiver for the Eric Railway, and that when he attempted to take possession of the offices he was met by Fisk and a body of his employes and by violence prevented from entering on his duries.

The Court ruled out the evidence as incompetent. Exception asked and granted.

Exception asked and granted.

Elizabeth Cooney called. She was employed as a domestic in the Grand Central, and was in the hotel on the day of the shooting; she was washing some paint off the right hand side of the reception room when the shooting took place; she saw the prisoner come around the elevator and descend part of the ladies' starcase; heard some one exclaim in a loud voice, "Don't fire?" this was followed by one shot; she was frightened and ran up stairs to the servants' apartments; did not see Thomas Hart in the hall.

On being cross-examined the witness said she first saw Stokes ½ the corner of the elevator; she saw one of the Hart yo along the hall with some water, but did not see the ought to have been; she only heard one shot.

Stokes 32 the corner of the elevator; she saw one of the Harty go along the hall with some water, but did not see the other Hart, whose blace was to be at the door; the Hart who had the water was going toward the office, where he ought to have been; she only heard one shot. Re-direct—ihere was a dull kind of light on the ladies' staircase at the time of the shooting; the prisoner came round the corner of the elevator, passed across the hall and to the ladies' staircase; he had on a white coat.

To the Court—I saw Stokes descend two or three steps of the stairs; I took a step or two from where I was to look atter him.

To the District Attorney—I had been washing in the hall that day from three c'clock: I saw every person who passed either way; did not see Stokes come up the ladies' stairs; would have seen him in he had; did not see him pass along to parlor No. 2M and look in; am positive he did not.

At the conclusion of the testimony of the witness Mr. Tremain said he offered to prove that the witness had been subponaed on the first trial, taken before the District Attorney to whom she made her statement, but was not used. He offered this as a sort of endorsement of the truth of her evidence.

The Court ruled it out as immaterial.

THE PRISOSER'S FATHER ON THE STAND.

Edward H. Stokes, tather of the prisoner, aged seventy-three, said he has resided in the city tweive years; previous to the shooting he saw his son almost every day; prior to his son's arrest he recollected him being confined to the house by illness; he remembered his son sending back to the Hoffman House after a pistol when he was confined at the house of the witness, he remembered his having a sort of terror at displaying it.

Q. Have you had relatives of your family tained with insanity? A. There are none now, I lost a bro-her from that cause, and my wife's brother has been in a desponding state for the jact twenty years; I have a sister who is paralyzed.

Q. Frevious to the shooting had you heard your son express fears of tareats made by Fisk?

evidence. It was ruled out finally.

Mr. Tremain then offered the evidence for three distinct purposes the last one being upon the defence of mannty.

The Court excluded the testimony on each offer, but allowed counsel the privilege of introducing it on the delence of insanity if that defence was set up.

Witness—I discovered about my son a strange expression about the eves and general change in his deportment towards his family; I knew he was very much excited after the raid made upon his oil refinery and it was taken from his possession; before the raid his mother was in possession; Edward was one of the parties carrying on the refinery, and his brother was the manager under the proprietor; it was finally selved by a lot of persons and taken from Edward and his mother on a Sunday night; I know of my son having been thrown into prison on civil suits; the next day siter the selzure I went over to greenpoint and tried to get into the office; there were a number of men there whom it was said were from the Eric road, and they relused to open the door; subsequently I asked to get in to warm my hands, as it was very cold, and they relused to open the door; subsequently I asked to get in to warm my hands, as it was very cold, and they warned me to go away: I replied that I coosidered them trespassers, and would hold them responsible for any damage that might occur.

Jones was some disease of the skin; I was examined on the bad taken from his mother by a lease, and he went out trail: the Illness was not very severe, and he went out trail the lilness was not very severe, and he went out the sease to a company, of which he was one; THE TRISONER'S MOTHER ON THE STAND.

Mrs. Nancy Stokes mother of the prisoner, w is next sworn—She testified as to his lilness and as to his having sent his brother to the Homan House for his pistol; she used to see the weapon almost daily about the room after that; I purchased the oil refinery in the year 1855; my son Edward had the sole control of the business ever since I bought it; during

taking possession.

A CLERGYMAN ON THE STAND.

Sydney A. Corey, clergyman, of this city—Know the prisoner slightly: remembered meeting stokes on a Fourth avonue car some time previous to the shooting; he had a large bundle of papers, which he said he was going to give to the Attorney General, and which he thought would break up the Erie ring; stokes said that he was

he was
and the result of it would be, he supposed, the loss of his
life at the hands of Fisk or some of his men; when he
mentioned Fisk's name he seemed greatly excited; he
asked if witness recollected asked if witness recollected
THE CASE OF POOR MATON,
and said that he expected Fisk or some of his hireli

and said that he expected risk or some of his hirelings would shoot him.

Cross-examined—He said he went prepared when he went out at night, and the conversation terminated.

ESTIMONY OF MR. MARSH.

Luther R. Marsh is a lawyer; had practised law in this city for fifty-five years and upward; I know the prisoner and was counsel for him is a certain case; I was counsel for him some weeks before the occurrence at the Grand Central Hotel; I used to see him pretty often; It was a subject of frequent remark by him, but it is difficult for me to remember particular instances; he said that he was affaid to go out and often asked me to go boms with him in a carriage; he said the was followed by two mea and could not go only and of the was followed by two mea and could not go only and of the was followed by two mea and could not go only and of the was followed by two mea and could not go only and of the was followed by two means and could not go only and of the was followed by two means and could not go only and of the was followed by two means of the country of the

say what it was, from general appearance I should Judge was a pixtol.

Prank W. Fisher, M. D.—in January, 1-72, I was living at the Grand Central Hotel: I saw Colonel Fisk about five o'clock P. M. on the day of the shooting, and at once proceeded to the room in which he was lying; Colonel Fisk was reed, his pulse twenty-six and irregular; I save hin a small quantity of brandy and water; the star he had been depressed to the pulse and respiration denoted perfect state direction; I saked Dr. Tripler, who was present, what he direction is the word probed the wounds for a little time, and Dr. White continued the probing for two minutes when he entered the room.

The winess repeated his former testimony, alluding to the persons he observed in the room with Fisk, the measures taken for his benefit and the maxing of the will of the decessed, without advancing anything new.

Atter Recess.

Mr. Tremain stated that he had a witness who desired to go away, and he would asspend Dr. Fisher's testimony until this witness could testity.

HONEE'S CHARACTER OP FISK.

Thomas K. Hoxee, a lawyer, of Paterson, said that Pisk was well known in his vicinity, and that he heard his character disoussed there.

Q. What were his tempor and disposition?
Objectes to, but objection warved.

Witness—His character was that of a reckless, unscrupulous and desperate man.

CROSS-KYAMINED.

To the District Attorney—I had met Mr. Fisk twice; sever had any quarrel with him.

Q. Did you ever hear that he was a genial and humorous gentleman? A. In certain places and among certain people, yes.

Q. Was he not always good-humored and genial? A. No (telesively).

Q. Now don't you know that his reputation was that of a genial, funny jeelow? A. No, decreedly, again).

Q. Did you ever hear that he was personally a great coward? A. No.

Q. Have you read the history of the New York, riots in the press? A. Yee, sir.

Q. Did you not know that he was accused of being a great coward? A. In certain matters he was, no doubt, a great coward? A. In certain matters he was, no doubt, a great coward? A. In certain matters he was, no doubt, a great coward? (Laughter). A. Yes, sir; he threatened to hang maybody? (Laughter). A. Yes, sir; he threatened to hang me.

Mr. Tromain—Did you ever hear him threaten to hang anybody? (Laughter). A. Yes, sir; he threatened to hang mybody? (Laughter). A. Yes, sir; he threatened to hang he had been a sir he company, at Paterson, he told me he would like to take me out and hang me; Fisk further said, "it is not healthy for men to cross my path," and that he was reaching for me; I went towards him and told him that no one was so likely to die suddenly as himself.

Dr. Fisher was here recalled and continued his evidence. The witness was examined on the half-hourly conditions of Fisk from the time the witness attended him first until the moment or his death. In reply to the District Attorney the witness said that he considered the wound in the abdomen a fatal one. The District Attorney—State whether or not, in your judgment, the treatment of the patient was proper? Witness—It it were not proper I never would have consented to it.

consented to it.

Q. Then you consider it was proper? A. Yes.
OTHER MEDICAL TESTIMONY.
Urias G. Farwell, a pothecary, corner of Amity street
and Broadway, testified as to about the quantity of
medicine, particularly morphine, were ordered by Drs.
Fisher and Tripler, although the Court said it was only
a waste of time, and the District Attorney said it would
not make any difference if a thousand pounds had been
ordered.

a waste of time, and the District Activity and the any difference if a thousand pounds had been ordered.

Benjamin W. Maoready, M. D., had practised in the city for thirty years past; to a certain extent the witness had made the sindy of vegetable poisons a speciality, he was familiar with cases of poisoning by morphine. The witness was examined at considerable length as to what syntems the case of Fisk showed. In his opinion Fish was dying from the brain, not from the heart: the treatment the patient received would increase shock, but the was tuniness and liveliness shown by Fisk while under treatment did not indicate shock; the symptoms, as he heard them described, would lead him to the opinion that his death was due directly to the ADMINSTRATION OF MORPHINE.

In reply to the District Attorney the witness stated that, knowing all about the case, he should certainly not attribute death to the wound but rather to he narcoute; Fisk did not did of the shock of the allow he could fix upon the immediate cause of death as the administering of the across the could be a part of the part without heins. Put you there a black and a bait without heins.

of the narcotic.
Q. Did you ever hear of a man being shot through the abdomen walking a block and a hair without being conscious, and dying unconscious, without even having been narcotized? A. Such a thing is very possible.
Q. When the patient is rational and converses cheerfully, danger from shock is past, is it not? A. Yes, sir.
Q. And then you have only to dread inflammation? A. Yes, sir.

fully, danger from since a space only to dread inflammation? A. Yes, sir.
Q. And that is the proper time for the administration of opium? A. Yes.
To the Court—I have known a man to swallow a pint of landanum and still survive, but he had trained himself to it by degrees.
The doctor gave a number of other illustrations before he was permitted to go down.
A HABEAS CORPUS IN THE CASE OF A WITNESS.
Mr. Dos Passos arose while a temporary cessation was had by reason of the absence of a couple of jurors, and said he held in his hand a writ of habeas corpus and testificandum, in which Mr. Stokes showed that W. F. G. Shanka, a most important witness for the defence, was at present confined in Ludlow Street Jail under an order of the Supreme Court. The power of the Court in the premises was well understood, and he asked that Mr. Shanks be produced.
Judge Davis directed that the witness be produced in Court to-morrow morning, for the purpose of giving testimony, but for nothing else.

Judge Davis directed that the various of giving testimony, but for nothing else.

Dr. John M. Carnochan was next produced—For the
past twenty years he had been acquiring experience in
various large hospitals throughout the State and city,
and was Health Officer of the port some time ago, and
also member of the Board of Health; on the evening of
the day of the shooting he was called in to attend Colonel
Fisk; he saw some of the symptoms of Fisk's case and
relt his puise; he attended the post-mortem examination;
there was not enough of inflammation in the abdomen
to destroy Hie; there was very little hemorrhage or

other.

The witness corroborated in most part the testimony of of his predecessor. He thought, in substance, taking in

THE STEPHENSON MURDER,

A Remarkable Scene in Court-The Prisoner Refuses to Take the Witness Stand-Feigning Insanity-Verdict of Murder in the First Degree.

The trial of the Russian sailor Mechella for the murder of Deputy Marshal Stephenson was continued at Jersey City yesterday. The defence called witnesses to prove character. Among them was the brother of the prisoner, who testified through-an interpreter. When he laid his hand upon the Book to take the oath the prisoner raised tween his knees, and, in an excited manner, said, ween his knees, and, in an excited manner, said, "That is my brother; he won't do." The brother took the stand, however, to the indignation of the prisoner. When the witness alluded to "spelis of foolishness" during youth on the part of the prisoner the latter protested vehemently, saying, "You shouldn't say such things; I have a good head yet." He then laughed and muttered in Russian and broken English. The Court directed that the prisoner be brought nearer the Bench, so that his remarks might be heard distinctly. He entered into a dialogue with the interpreter and darted fierce gances occasionally at the witness. The latter was interrupted frequently by the prisoner, who told him to say nothing about their lather and mother in Finiand.

Counsel for defence called on their client to take

Counsel for defence called on their client to take the stand, but he stubbornly refused. All Counsel for defence called on their client to take the stand, but he stubbornly refused. All efforts to persuade him were useless. Counsel said that, in the discharge of their duty, they would insist upon his taking the stand, even if compulsion were necessary; but the Court observed that the spirit of the statute governing the case was opposed to compulsion. A long and warm conversation them took place between the prisoner, his counsel and the interpreter. The prisoner remarked at one time, "Stephenson wanted the money and he don't get the money; he want to kill me; I don't go and say nothing about it." He clinched his determination by the remark, "If get hanged I wont go." Counsel at last gave up the effort and Dr. Buck, county physician, was examined in regard to the prisoner's mental condition. He believed that the prisoner while in jail was cither in sane or feigned insanity.

Mr. Williams then summed up the case for the defence. He said they did not ask for a verdict of acquittal, but that the crime was of no higher grade than manshaughter.

defence. He said they did not ask for a verdict of acquittal, but that the crime was of no higher grade than manslaughter.

The Russian Consul General Bodisco was an attentive spectator during the day. He sat near the prisoner and held frequent conferences with counsel for the defence. While counsel was speaking the prisoner lapsed into his usual indifference and apparent stupidity.

District Attorney Garretson replied on behalf of the State. Judge Bedle delivered an exhaustive charge to the jury, who retired to deliberate at a quarter to nine last night. At half-past nine they came into Court with a verdict of murder in the first degree. The prisoner evinced no trepidation at the announcement that entails in Jersey the penalty of death. He maintained the same attitude of stolidity, the same aff of indifference that he maninested during the whole trial excepting a few intervals of excitement. Sentence will not be pronounced till after the lapse of a few days.

THE PHELPS EXAMINATION POSTPONED.

ALBANY, N. Y., Oct. 22, 1873.

The examination of the Phelps case was further postponed till Monday next, at three o'clock. It is understood the reason for postponement is that Phelps will return the money, but Justice McNamara says the case shall not thus be settled in his Court. POLICE MATTERS.

Captain Irving and Detective Farley sent a comnunication to the Police Commissioners yesterday, equesting a trial on the charges made against nem in the newspapers. The Commissioners are nderstood to have replied that the case would be rought up at an early day before the whole Board.